

## § 665.404

the following coordinates in the order listed:

Point	N. lat.	E. long.
NM-1-A .....	14°9'	144°15'
NM-1-B .....	16°10'47"	145°12'
NM-1-C .....	16°10'47"	146°53'
NM-1-D .....	14°48'	146°33'
NM-1-E .....	13°27'	145°43'
NM-1-A .....	14°9'	144°15'

(2) *CNMI Alamagan Island (Area NM-2)*. The CNMI Alamagan Island prohibited area is defined as the waters of the U.S. EEZ surrounding CNMI that are enclosed by straight lines connecting the following coordinates in the order listed:

Point	N. lat.	E. long.
NM-2-A .....	17°26'	145°40'
NM-2-B .....	17°46'	145°40'
NM-2-C .....	17°46'	146°00'
NM-2-D .....	17°26'	146°00'
NM-2-A .....	17°26'	145°40'

## § 665.404 Permits.

(a) *Applicability*—(1) *Guam large vessel*. The owner of any large vessel used to fish for, land, or transship Mariana bottomfish MUS shoreward of the outer boundary of the Guam subarea must have a permit issued under this section, and the permit must be registered for use with that vessel.

(2) *Commonwealth of the Northern Mariana Islands (CNMI) commercial*. The owner of any vessel used to commercially fish for, transship, receive, or land Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea must have a permit issued under this section, and the permit must be registered for use with that vessel.

(b) *Submission*. An application for a permit required under this section must be submitted to PIRO as described in § 665.13.

## § 665.405 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter and § 665.15, it is unlawful for any person to do any of the following:

(a) Fish for Mariana bottomfish MUS using gear prohibited under § 665.406.

(b) Use a large vessel that does not have a valid Guam bottomfish permit registered for use with that vessel to fish for, land, or transship Mariana

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bottomfish MUS shoreward of the outer boundary of the Guam management subarea of the bottomfish fishery management area in violation of § 665.404(a).

(c) Use a large vessel to fish for Mariana bottomfish MUS within the Guam large vessel bottomfish prohibited area, as defined in § 665.403(a).

(d) Land or transship, shoreward of the outer boundary of the Guam management subarea of the bottomfish fishery management area, Mariana bottomfish MUS that were harvested in violation of § 665.405(c).

(e) Use a vessel to fish commercially for Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea without a valid CNMI commercial bottomfish permit registered for use with that vessel, in violation of § 665.404(a)(2).

(f) Use a medium or large vessel, as defined in § 665.12, to fish for Mariana bottomfish MUS within the CNMI medium and large vessel bottomfish prohibited areas, as defined in § 665.403(b).

(g) Retain, land, possess, sell, or offer for sale, shoreward of the outer boundary of the CNMI management subarea, Mariana bottomfish MUS that were harvested in violation of § 665.405(f), except that Mariana bottomfish MUS that are harvested legally may be transferred to a receiving vessel shoreward of the outer boundary of the CNMI medium and large vessel bottomfish prohibited area as defined in § 665.403(b).

(h) Falsify or fail to make, keep, maintain, or submit a Federal logbook as required under § 665.14(b) when using a vessel to engage in commercial fishing for Mariana bottomfish MUS shoreward of the outer boundary of the CNMI management subarea in violation of § 665.14(b).

## § 665.406 Gear restrictions.

(a) Bottom trawls and bottom set gillnets. Fishing for bottomfish with bottom trawls and bottom set gillnets is prohibited.

(b) *Possession of gear*. Possession of a bottom trawl and bottom set gillnet by any vessel having a permit under § 665.404 or otherwise established to be fishing for bottomfish in the management subareas is prohibited.

## Fishery Conservation and Management

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(c) *Poisons and explosives.* The possession or use of any poisons, explosives, or intoxicating substances for the purpose of harvesting bottomfish is prohibited.

### § 665.407 At-sea observer coverage.

All fishing vessels subject to §§ 665.400 through 665.407 must carry an observer when directed to do so by the Regional Administrator.

### §§ 665.408–665.419 [Reserved]

### § 665.420 Mariana coral reef ecosystem fisheries. [Reserved]

### § 665.421 Definitions.

As used in §§ 665.420 through 665.439:

*Mariana coral reef ecosystem management unit species (Mariana coral reef ecosystem MUS)* means all of the Currently Harvested Coral Reef Taxa and Potentially Harvested Coral Reef Taxa listed in this section and which spend the majority of their non-pelagic (post-settlement) life stages within waters less than or equal to 50 fathoms in total depth.

Mariana Currently Harvested Coral Reef Taxa:

Family name	Local name (Chamorro/Carolinian)	English common name	Scientific name
Acanthuridae (Surgeonfishes)	.....	orange-spot surgeonfish .....	<i>Acanthurus olivaceus.</i>
	hugupao dangulo/mowagh .....	yellowfin surgeonfish .....	<i>Acanthurus xanthopterus.</i>
	Kichu/limell .....	convict tang .....	<i>Acanthurus triostegus.</i>
	.....	eye-striped surgeonfish .....	<i>Acanthurus dussumieri.</i>
	.....	blue-lined surgeon .....	<i>Acanthurus nigroris.</i>
	.....	whitebar surgeonfish .....	<i>Acanthurus leucopareius.</i>
	.....	whitebar surgeonfish .....	<i>Acanthurus leucopareius.</i>
	.....	blue-banded surgeonfish .....	<i>Acanthurus lineatus.</i>
	.....	blackstreak surgeonfish .....	<i>Acanthurus nigricauda.</i>
	.....	whitecheek surgeonfish .....	<i>Acanthurus nigricans.</i>
	.....	white-spotted surgeonfish .....	<i>Acanthurus guttatus.</i>
	.....	ringtail surgeonfish .....	<i>Acanthurus blochii.</i>
	.....	brown surgeonfish .....	<i>Acanthurus nigrofuscus.</i>
	.....	mimic surgeonfish .....	<i>Acanthurus pyroferus.</i>
	.....	Yellow tang .....	<i>Zebrasoma flavescens.</i>
	.....	striped bristletooth .....	<i>Ctenochaetus striatus.</i>
	.....	twospot bristletooth .....	<i>Ctenochaetus binotatus.</i>
	tataga/igh-falafal .....	bluespine unicornfish .....	<i>Naso unicornus.</i>
	hangon/bwulaalay .....	orangespine unicornfish .....	<i>Naso lituratus.</i>
	.....	humphose unicornfish .....	<i>Naso tuberosus.</i>
	.....	black tongue unicornfish .....	<i>Naso hexacanthus.</i>
	.....	bignose unicornfish .....	<i>Naso vlamingii.</i>
	.....	whitemargin unicornfish .....	<i>Naso annulatus.</i>
	.....	spotted unicornfish .....	<i>Naso brevirostris.</i>
	.....	humpback unicornfish .....	<i>Naso brachycentron.</i>
	.....	gray unicornfish .....	<i>Naso caesi.</i>
Balistidae (Triggerfishes)	.....	titan triggerfish .....	<i>Balistoides viridescens.</i>
	.....	clown triggerfish .....	<i>Balistoides conspicillum.</i>
	.....	orange striped triggerfish .....	<i>Balistapus undulatus.</i>
	.....	pinktail triggerfish .....	<i>Melichthys vidua.</i>
	.....	black triggerfish .....	<i>Melichthys niger.</i>
	.....	blue triggerfish .....	<i>Pseudobalistes fuscus.</i>
	.....	Picassofish .....	<i>Rhinecanthus aculeatus.</i>
Carangidae (Jacks)	.....	wedged Picassofish .....	<i>Balistoides rectangulus.</i>
	.....	bridled triggerfish .....	<i>Sufflamen fraenatus.</i>
	atulai/peti .....	Bigeye scad .....	<i>Selar crumenophthalmus.</i>
Carcharhinidae (Sharks)	.....	mackerel scad .....	<i>Decapterus macarellus.</i>
	.....	grey reef shark .....	<i>Carcharhinus amblyrhynchos.</i>
	.....	silvertip shark .....	<i>Carcharhinus albimarginatus.</i>
	.....	Galapagos shark .....	<i>Carcharhinus galapagensis.</i>
	.....	blacktip reef shark .....	<i>Carcharhinus melanopterus.</i>
Holocentridae (Soldierfish/Squirrelfish).	.....	whitetip reef shark .....	<i>Triaenodon obesus.</i>
	saksak/mweel .....	bigscale soldierfish .....	<i>Myripristis berndti.</i>
	.....	bronze soldierfish .....	<i>Myripristis adusta.</i>
	sagamelon .....	blotcheye soldierfish .....	<i>Myripristis murdjan.</i>
	sagamelon .....	brick soldierfish .....	<i>Myripristis amaena.</i>
	sagamelon .....	scarlet soldierfish .....	<i>Myripristis pralinia.</i>
	sagamelon .....	violet soldierfish .....	<i>Myripristis violacea.</i>